

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

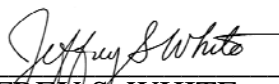
RAMIRO GARZA,)	No. C 08-2571 JSW (PR)
)	
Petitioner,)	
)	TRANSFER ORDER
vs.)	
)	
HERNANDEZ,)	
)	
Respondent.)	

Petitioner, a prisoner incarcerated at Salinas Valley State Prison in Soledad, California, has filed a petition for a writ of habeas corpus seeking review of his criminal conviction from Fresno County, which lies within the venue of the Eastern District of California. *See* 28 USC § 84(c). Venue is proper in a habeas action in either the district of conviction or the district of confinement, *see id* § 2241(d). However, federal courts in California traditionally have chosen to hear petitions challenging a conviction or sentence in the district of conviction. *See Dannenberg v. Ingle*, 831 F. Supp. 767, 767 (N.D. Cal. 1993); *Laue v. Nelson*, 279 F. Supp. 265, 266 (N.D. Cal. 1968).

Therefore, the Court ORDERS, pursuant to 28 USC § 1404(a) and Habeas LR 2254-3(b), and in the interest of justice, that the Clerk of the Court TRANSFER this matter to the United States District Court for the Eastern District of California.

IT IS SO ORDERED.

DATED: June 3, 2008



JEFFREY S. WHITE
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

RAMIRO GARZA,

Plaintiff,

v.

HERNANDEZ, et al,

Defendant.

Case Number: CV08-02571 JSW

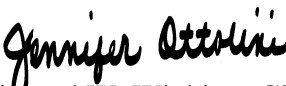
CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on June 3, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Ramiro Garza
F04325
Richard Donovan Correctional Facility
480 Alta Road
San Diego, CA 92179

Dated: June 3, 2008


Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk